

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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In the Matter of HANNAH WILKINS, Minor.

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DEPARTMENT OF HUMAN SERVICES,

Petitioner-Appellee,

v

DUSTIN WILKINS,

Respondent-Appellant.

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UNPUBLISHED

May 22, 2007

No. 274424

Clinton Circuit Court

Family Division

LC No. 05-018405-NA

Before: White, P.J., and Saad and Murray, JJ.

PER CURIAM.

Respondent Dustin Wilkins appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

In October 2005, Hannah and her siblings, Madison Hindbaugh and Nathanail Grice, were removed from the care of their mother, Emily Hindbaugh, because of abuse of Madison by Ms. Hindbaugh's live-in partner, Nathanail Grice, Sr. The children were initially placed with relatives and later in foster care. Respondent, then living in Kalamazoo, returned and began visitations with Hannah. An amended petition noted a long criminal history. Respondent admitted this and an order of disposition was entered on December 2, 2005. Respondent's parent agency agreement (PAA) required him to complete his GED or diploma, obtain suitable housing and employment, and refrain from drugs and alcohol. He was to participate in a psychological evaluation and counseling if necessary, a substance abuse assessment and screens plus AA/NA and treatment if directed; attend parenting classes and visitations; and keep in contact with the worker.

Respondent complied only minimally with the above requirements. He visited Hannah only four times and did not attend a paternity test to determine Madison's paternity. Further, he left the state in December 2005 without informing the worker or his probation officer. After returning briefly in March 2006, he was arrested for probation violation and jailed. After completing another jail term in October 2006, he wished to resume services. However, DHS declined to allow this, since respondent had not participated in services or seen his daughter since the previous December.

We find no clear error in the trial court's determination that clear and convincing evidence satisfied the statutory grounds in MCL 712A.19b(3)(c)(i), (g), and (j). Failure to comply with a court-ordered treatment plan is evidence of continuing neglect. *In re Trejo*, 462 Mich 341, 360-361 n 16; 612 NW2d 407 (2000). Here, respondent maintained that he went to Gulfport, Mississippi, in December 2006, to find work helping with the Hurricane Katrina relief efforts. However, respondent did not communicate with his daughter in nine months and the trial court found his testimony "very insincere." He had a spotty work and visitation history and a long criminal record. While the case was pending, his actions were hardly those of a parent concerned with his daughter's welfare. He did not even begin to remedy his portion of the problems that brought Hannah into care. Having examined the record, we find clear and convincing evidence to support the trial court's ruling as to the statutory standards and best interests of the child. See MCL 712A.19(5); *Trejo*, *supra* at 353.

Affirmed.

/s/ Helene N. White  
/s/ Henry William Saad  
/s/ Christopher M. Murray